

# **The Hallen School**

## **Code of Conduct**



## Table of Contents

Standards of Behavior Accountability and Support	3
Promoting Positive Student Behavior	4
Prevention and Intervention	4
Parents as Partners	5
Use of Electronics	5
Student Dress Code	5
Types of Counseling Interventions	6
Dignity for all Students Act (DASA)	7
Self-Monitoring Assistance	7
Investigations and Student Searches	7
Infractions and Ranges of Possible Disciplinary Responses	8
Use of Time Out Room	8
Levels of Infractions	11
Disciplinary Responses	11
In-School Suspension	11
Principal's Suspension	11
Appeals	12
Bill of Student's Rights and Responsibilities	12
Level 1 Infractions	17
Level 2 Infractions	18
Level 3 Infractions	19
Level 4 Infractions	21
Level 5 Infractions	24
Prohibited Weapons-Category I	26
Prohibited Weapons-Category II	26

## **Code of Conduct**

The Hallen School is committed to ensuring that our school is a safe, secure and orderly environment in which teaching and learning takes place each day. Safe, supportive school environments depend on students, staff, and parents demonstrating mutual respect. Included in this document are a list of students' rights and responsibilities that promote responsible student behavior and an atmosphere of dignity and respect by establishing guidelines to help students as they strive to become productive citizens in a diverse society.

### **STANDARDS OF BEHAVIOR: ACCOUNTABILITY AND SUPPORT**

All members of the school community — students, staff, and parents — must know and understand the standards of behavior which all students are expected to live up to and the consequences if these standards are not met. The Hallen School's Code of Conduct (Code of Conduct) provides a comprehensive description of unacceptable behavior, in addition to a range of permissible disciplinary and intervention measures which may be used. While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students. School officials are responsible for sharing the information contained in this document with students, staff, and parents.

In providing a range of permissible disciplinary measures, the Code of Conduct ensures both consistency and equitable treatment for all students and enables an administrator and the Principal or other designee of the Principal to exercise discretion and educational judgment. Administrators, teachers, therapists, classroom staff, students and parents need to know the disciplinary measures that can be taken when a student engages in inappropriate behavior or when their behavior becomes a threat to their safety and/or the safety of others. Counseling interventions are included because inappropriate behavior or violations of the Code of Conduct may be symptomatic of more serious problems that students are experiencing. It is, therefore, important that school personnel be sensitive to issues that may influence the behavior of students, including the nature of their disability, and respond in a manner that is most supportive of their needs.

The standards set forth in the Code of Conduct apply to behavior in school during school hours, before and after school, while on school property, while traveling on school district school buses, at all school-sponsored events and on other-than-school property when such behavior can be demonstrated to negatively affect the educational process or to endanger the health, safety, morals, or welfare of the school community. The Code of Conduct also applies to inappropriate communication, including but not limited to texting, e-mailing, and any form of social networking.

## **PROMOTING POSITIVE STUDENT BEHAVIOR**

The Hallen School promotes a positive school climate and culture that provides students with a supportive environment in which to grow both academically and socially. The school takes a proactive role in nurturing students' pro-social behavior by providing them with a range of positive behavioral supports as well as meaningful opportunities for social emotional learning. Effective social emotional learning helps students develop fundamental skills for life effectiveness, including: recognizing and managing emotions; developing caring and concern for others; establishing positive relationships; making responsible decisions; and handling challenging situations constructively and ethically. Such skills help prevent negative behaviors and the disciplinary consequences that result when students do not live up to behavioral standards. Student engagement is also integral to creating a positive school climate and culture that effectively fosters students' academic achievement and social/emotional growth. Providing students with multiple opportunities to participate in a wide range of pro-social activities and, at the same time, bond with caring, supportive adults mitigate negative behaviors. Examples can include: providing students with meaningful opportunities to share ideas and concerns and participate in school-wide activities; periodic recognition of students' achievements in a range of academic and co-curricular areas; using corrective feedback; and develop school-wide positive behavior systems. Such opportunities, coupled with a comprehensive program of prevention and intervention, provide students with the experiences, strategies, skills, and support they need to thrive.

## **PREVENTION AND INTERVENTION**

School personnel are responsible for developing and using strategies that promote optimal learning and positive behavior throughout a student's school experience. They are also responsible for addressing behaviors which disrupt learning. Administrators, teachers, therapists, and other school staff are expected to engage students in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and, when appropriate, with his/her parent/guardian. Intervention and prevention approaches may include counseling support (mandated or non-mandated) and services to address personal and family circumstances; social/emotional learning, conflict resolution/peer mediation/negotiation, anger management, and/or communication skills acquisition; the use of alternate instructional materials and/or methods; enrichment services; and/or development or review of functional behavioral assessments and behavioral intervention plans which should be developed and/or reviewed as an early intervention strategy. Through the use of intervention and prevention strategies that engage students and give them a clear sense of purpose, school staff facilitate students' academic and social-emotional growth and assist them in following school rules and policies.

As the primary source of managing disruptive behavior in the school environment, the Hallen School utilizes the principles of the Crisis Prevention Institute's (CPI) Non-Violent Crisis Intervention. CPI utilizes both proactive measures for preventing disruptive behaviors and safe/secure Non-Violent Physical Crisis Intervention measures. For further information on this program please visit <http://www.crisisprevention.com> or contact Sergio Dávila (Principal), at 914-

636-6600 ext. 3075 or Kim Bartolomucci (Director of Curriculum, Instruction & Assessment) at 914-636-6600 ext. 3004.

### **PARENTS AS PARTNERS**

Students, parents, and school personnel all have a role in making schools safe and must cooperate with one another to achieve this goal. School staff should keep parents informed of their child's behavior and enlist parents as partners in addressing areas of concern. Outreach to parents can include, but is not limited to, a phone call and/or a written communication. As role models, parents and school staff should exhibit the behaviors which they would like to see students emulate. To ensure that parents become active and involved partners in promoting a safe and supportive school environment, parents must be familiar with the Code of Conduct. A copy of the Code of Conduct will be available on the school's website, [www.thehallenschool.net](http://www.thehallenschool.net). A hard copy will be available upon request. Any updates will be sent to parents.

### **USE OF PERSONAL ELECTRONIC DEVICES**

Students may bring personal electronic devices to school. Personal electronic devices include, but are not limited to cell phones, tablets, and portable gaming devices. Students may not use these devices during instructional time unless permission has been granted by a staff member. High school students may use their personal devices during lunch. The Hallen School is not responsible for the loss, theft, or damage of personal electronic devices.

### **STUDENT DRESS CODE**

All student and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other school staff should help students develop an understanding of appropriate appearance in school and at work sites when they participate in Work-Based Learning Programs. This Code is a guide and by no means all inclusive.

In order to be sure that all Hallen students are dressed appropriately, a student's clothing, grooming, and appearance must:

- be safe and not disrupt or interfere with the educational process;
- not include revealing garments and should cover underwear with outer clothing;
- include appropriate and safe footwear at all times (no flip flops or shoes with wheels);
- not include headgear (i.e., caps, hats, durags, hoods/hoodies, bandanas, ski masks) or visors during instructional times or in hallways, except for medical or religious reasons or with staff permission;
- not include items, such as t-shirts, that are lewd, vulgar, or obscene, or which may
- cause interference with the educational process of others or the school's
- administration;
- not include tank tops or shirts that do not cover the midriff;
- not promote and/or endorse the use of alcohol, tobacco, and illegal drugs or
- encourage illegal or violent activities;
- Shorts are permitted as long as the length is mid-thigh or longer.

Administration has the right to ask any student who violates the dress code to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and

including in-school suspension. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

High school students who participate in Hallen's Work-Based Learning Programs may have additional dress code requirements as determined by business partners for work sites and internships that are not listed above. If a student is not appropriately dressed, a staff member may ask that the offending item be removed and replaced with an acceptable item.

### **TYPES OF COUNSELING INTERVENTIONS**

- **Parent Outreach:** School staff should keep parents informed of their child's behavior and enlist parents as partners in addressing areas of concern. Outreach to parents can include, but is not limited to, a phone call and/or written communication.
- **Intervention by Counseling Staff:** School-based counseling personnel offer a wide range of services and interventions including, but not limited to: individual therapy, group therapy, teacher consultations, as well as educational strategies for parents and staff. Counseling provides students with an outlet to share issues in private that may be negatively impacting their attendance, behavior, and/or academic success. Students discuss and formulate goals, and learn problem solving strategies that will enable them to overcome a variety of personal challenges. School staff will communicate with parents on a regular basis to discuss the student's academic and personal progress.
- **Parent Conference:** Administrators, teachers, and therapists may request a conference with the parent and, when appropriate, with the student. The purpose of the conference is to review the behavior, find solutions to the problem and address academic, personal and social issues that might have caused or contributed to the behavior.
- **Conflict Resolution:** Conflict resolution provides an opportunity to empower students to take responsibility for peacefully resolving conflict. The related activities teach students, parents, and staff problem solving skills/techniques that can be used in everyday situations. Such skills can include, but are not limited to, conflict and anger management, active listening, and effective communication.
- **Development of Individual Behavior Contract:** The student meets with the Counseling Department, the classroom teacher, and other school staff to create a written contract that includes objectives and the specific performance tasks that the student will accomplish to meet those objectives. The contract is signed by the student and teacher and, when appropriate, by the parent or guardian.
- **Short-Term Behavioral Progress Reports:** Although teachers will communicate with parents/guardians, the Counseling Department, teachers and/or administrators may send behavioral progress reports to parents/guardians on a regular basis until they feel that the student is in control of his/her behavior and working in the classroom successfully.

- For more intensive needs, we may need to contact mobile crisis or dial 911 emergency services if a student requires an immediate support.

### **DIGNITY FOR ALL STUDENTS ACT (DASA)**

The Dignity for all Students Act provides that students in elementary and secondary school are provided with a school environment which is free from discrimination, intimidation, taunting, harassment, and bullying on school property, a school bus and/or at a school function. At Hallen our school code of conduct provides for a safe environment for all students. Students and staff will gain an awareness and sensitivity in the relations of people, including but not limited to, different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, gender identity, and sexes. We believe that teaching students to be cooperative, respectful, and civil is a shared responsibility between the home and the school. Our school-wide expectations and rules created through our PBIS Program (SOAR) ensure safety, teaches responsible self-managing behavior, and maximizes academic learning for both students and staff. In the event that you believe any person has been subjected to discrimination, bullying, or harassment please contact our building's Dignity Act Coordinator by calling the school.

### **SELF-MONITORING ASSISTANCE**

When a student exhibits behavior that is potentially dangerous to self or others, that student will be able to take a break to focus on self-monitoring and self-control strategies away from the location the behavior is occurring. In each hallway, a monitor is assigned to a post and will be available to students having such behavioral difficulties during the school day. The monitor serves as the primary external behavioral assistance and will supervise the student outside of the classroom and assist with de-escalation. Once the student has regained self-control, he or she is safely escorted by the monitor back to class. If a student continues to display behavior that warrants additional support, the student will then be escorted to their assigned counselor, the Dean of Students or Principal. A serious emergency situation is handled by our CPI trained staff using de-escalation techniques. Non-violent physical interventions are a last resort and would only be used in an emergency situation. In the event that a student's IEP or Behavior Plan requires the use of a time out room, The Hallen School will defer the child to the district CSE since The Hallen School does not accept students who require the use of a time out room.

### **INVESTIGATIONS AND STUDENT SEARCHES**

The Hallen School is committed to ensuring the safety of students while on school property, school buses and school functions. School Administrators or designated staff may question students about alleged violations of the Code of Conduct or law. Students' belongings may be searched if school officials believe a violation of the Code or law has occurred, or that a search is necessary to determine whether there is a safety risk to anyone within the Hallen School community or to property. Students have no reasonable expectation of privacy with respect to these places, and school officials retain complete control over them. This means that student lockers, desks, and other school storage places may be subject to search at any time by school officials without prior notice to students and/or their parent, and without their consent.

## **INFRACTIONS AND RANGES OF POSSIBLE DISCIPLINARY RESPONSES**

School officials must consult the Code of Conduct when determining which disciplinary measure to impose. In addition to consulting the Code of Conduct, prior to determining the appropriate disciplinary and/or intervention measures, the following must be considered: the student's disability, age, maturity, and previous disciplinary record (including the nature of the prior misconduct, the number of prior instances of misconduct, and the disciplinary measure imposed for each); the circumstances surrounding the incident leading to the discipline; and the student's IEP and BIP, if applicable. Every reasonable effort should be made to correct student misbehavior through guidance interventions and other school-based resources using the least severe disciplinary responses. Appropriate disciplinary responses should emphasize prevention and effective intervention, prevent disruption to students' education, and promote the development of a positive school culture.

The listed infractions are not all-inclusive. Students who engage in misconduct which is not listed in the Code of Conduct are subject to appropriate disciplinary measures by an administrator, or designee, based on violation of school rules. To ensure that staff, students and parents are aware of all expected standards of behavior, school rules are contained within the Code of Conduct.

## **USE OF TIME OUT ROOM**

Except as provided pursuant to New York Code of Rules and Regulations (NYCRR) Section 200.22(c) as referenced below, The HALLEN SCHOOL shall not employ the use of time out rooms as a means of regulating student behavior.

Pursuant to Commissioner's Regulations, a time out room is defined "as an area for a student to safely deescalate, regain control and prepare to meet expectations to return to his/her education program." If a time out room is to be used, it must be used in conjunction with a behavioral intervention plan (that is designed to teach and reinforce alternative appropriate behaviors) in which a student is removed to a supervised area in order to facilitate self-control or when it is necessary to remove a student from a potentially dangerous situation and for unanticipated situations that pose an immediate concern for the physical safety of a student or others.

The use of time out rooms shall be governed by the following rules and standards:

a) The HALLEN SCHOOL prohibits placing a student in a locked room or space where the student cannot be continuously observed and supervised. The time out room shall be unlocked and the door must be able to be opened from the inside. The use of locked rooms or spaces for purposes of time out emergency interventions is prohibited.

Staff shall continuously monitor the student in a time out room. The staff must be able to see and hear the student at all times. Under no circumstances shall a time out room in a school program be used for seclusion of the student, where the term “seclusion” is interpreted to mean placing a student in a locked room or space or in a room where the student is not continuously observed and supervised.

Time limitations for the use of the time out room – A student’s IEP shall specify when a behavioral intervention plan includes the use of a time out room for a student with a disability, including the maximum amount of time a student will need to be in a time out room as a behavioral consequence as determined on an individual basis in consideration of the student’s age and individual needs. When using the time out room as an emergency intervention, the student will not be placed in the time out room for more than fifteen (15) minutes at a time without a staff member attempting to engage and assess the student for the readiness to return to class.

School administration or other personnel shall be notified in the event a student is placed in a time out room for excessive amounts of time; and such information shall be considered when determining the effectiveness of the student's behavioral intervention plan and the use of the time out room for the student. Whether the student requires a debriefing following the use of a time out room shall be left to the staff knowledgeable about the individual student.

b) School administration or other personnel shall be notified in the event a student is placed in a time out room for an excessive amount of time or repeated use of the time out room; and such information shall be considered when determining the effectiveness of the student’s behavioral intervention plan and the use of the time out room for the student.

c) The Principal or designee shall be responsible for establishing administrative practices and procedures for training personnel responsible for carrying out the provisions of Commissioner’s Regulations relating to the use of time out rooms.

d) The Hallen School programs shall establish and implement procedures to document the use of time out rooms, including information to monitor the effectiveness of the use of the time out room to decrease specified behaviors. Such data would be subject to review by the State Education Department (SED) upon request.

Such data collection should appropriately include, but is not limited to, the following information:

1. A record for each student showing the date and time of each use of the time out room;
2. A detailed account of the antecedent conditions/specific behavior that led to the use of the time out room;
3. The amount of time that the student was in the time out room; and

4. Information to monitor the effectiveness of the use of the time out room to decrease specified behaviors which resulted in the student being placed in the room.

e) The HALLEN SCHOOL shall inform the student's parent/guardian/person in parental relation prior to the initiation of a behavioral intervention plan that will incorporate the use of a time out room for a student, and shall give the parent/guardian/person in parental relation the opportunity to see the physical space that will be used as a time out room and provide the parent/guardian/person in parental relation with a copy of the school's policy on the use of time out rooms.

Additionally, parents/guardians/persons in parental relation should be notified if their child was placed in a time out room. Minimally, whenever a time out room is used as an emergency intervention pursuant to Commissioner's Regulations Section 200.22(d), the parent/guardian/person in parental relation shall be notified of the emergency intervention. Such notification will be provided the same day whenever possible.

The parent/guardian/person in parental relation is a member of the CSE and the use of a time out room must be included on the student's IEP. The parent/guardian/person in parental relation receives prior notice as to the recommendations on a student's IEP and may request due process in the event the parent/guardian/person in parental relation does not agree with the CSE recommendations.

Parent/guardian/person in parental relation reports of alleged inappropriate interventions used in a time out room should be directed to school administrators.

### **Physical Space Used as a Time Out Room**

The physical space used as a time out room must meet certain standards.

- a) The room shall provide a means for continuous visual and auditory monitoring of the student.
- b) The room shall be of adequate width, length and height to allow the student to move about and recline comfortably.
- c) Wall and floor coverings should be designed to prevent injury to the student and there shall be adequate lighting and ventilation.
- d) The temperature of the room shall be within the normal comfort range and consistent with the rest of the building.
- e) The room shall be clean and free of objects and fixtures that could be potentially dangerous to a student and shall meet all local fire and safety codes.

## **LEVELS OF INFRACTIONS**

The Code of Conduct holds students accountable for their behavior. Each level of infraction contains a minimum to a maximum range of possible disciplinary responses that may be imposed by an administrator, the Principal, or other designee of the Principal. Infractions are grouped into five levels, which range from insubordinate behaviors to seriously dangerous or violent behaviors and provide a corresponding range of possible disciplinary responses.

Whenever possible and appropriate, interventions should begin with the lowest level of disciplinary response. While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students. The Code of Conduct provides graduated penalties for students who engage in repeated inappropriate behaviors despite the prior imposition of appropriate disciplinary measures. More severe penalties will be imposed on those students who engage in a pattern of persistent misconduct that are not a manifestation of their disability. Whenever possible and appropriate, prior to imposing such penalties, school officials should exhaust less severe disciplinary responses and interventions.

## **DISCIPLINARY RESPONSES**

All entries in student records must be made in accordance with regulations regarding confidentiality and the release of student's records. All suspensions must be done substantively and procedurally in accordance with relevant State Education Law and Federal Laws. In accordance with IDEA, a special education student can be unilaterally suspended for up to ten (10) consecutive school days or ten (10) cumulative school days by school authorities without IDEA implications. Any suspension longer than ten (10) consecutive school days or ten (10) cumulative school days in the same academic year will result in a Manifestation Determination meeting by the CSE to determine whether or not the behavior was a manifestation of the student's disability. The results of this meeting may include reassessment of the student's Behavioral Intervention Plan, a long term suspension, placement in an Interim Alternative Education Setting, or a change of placement.

## **IN-SCHOOL SUSPENSION**

A school administrator has the authority to require a student to serve In-School Suspension. In-School suspensions allow access to a licensed special education teacher, IEP services and accommodations, and therefore does not count towards the ten (10) day exclusion limit.

## **PRINCIPAL'S SUSPENSION**

The Principal has the authority to suspend a student for 1-5 days when a student's behavior presents a clear and present danger of physical injury to the student, other students or school personnel, or

prevents the orderly operation of classes or other school activities. Parents will be immediately notified by telephone, when possible, and in writing within 24 hours of the imposition of a suspension for less than 5 days. The suspension notice will include a description of the incident as well as the specific infraction from this Code of Conduct. As part of the suspension plan, the school offers an alternative instruction option in which suspended students may report to school for 2 hours a day for the purpose of instruction and access to services mandated in the IEP. Parents also have the right to an informal conference with the Administrator regarding the events that took place leading up to the suspension. Following the suspension period will be a re-admittance meeting to assist the student in transitioning back to the school setting after the suspension period and to assure that the code of conduct is reinforced with the student.

A suspension may also result in a period of suspension from six (6) to ten (10) days when a student's behavior presents a clear and present danger of physical injury to the student, other students or school personnel, or prevents the orderly operation of classes or other school activities.

At any point in the suspension process, if the school believes that a student with a disability will not benefit from reinstatement, the school may initiate referral to the Committee on Special Education for purposes of holding a placement meeting.

### **APPEALS**

Principal's suspensions of less than five (5) days may be appealed by the student and/or the parent/guardian or designee of the parent/guardian to the principal, or other designee. Ten day suspensions (i.e., suspensions given by the Principal or designee of the Principal) may be appealed by the student and/or the parent/guardian or designee of the parent/guardian to the Principal.

### **BILL OF STUDENT'S RIGHTS AND RESPONSIBILITIES**

#### Preamble

The Hallen School seeks to cultivate a sense of mutual respect among students, parents, and staff. With the cooperation of all members of the school community, students can reach their fullest potential while enjoying a rich learning experience. This document serves as a guide for students as they strive to become productive citizens in a diverse society.

#### I. THE RIGHT TO A FREE PUBLIC SCHOOL EDUCATION

The right to a free and appropriate education is a basic "student right" guaranteed to all students at the Hallen School.

Students have a right to:

1. attend school and receive a free and appropriate education from age five (5) to age 21 or until student meets the requirements for receipt of a diploma or credential, whichever comes first, as provided by law;

2. be in a safe and supportive learning environment, free from discrimination, harassment, bullying, and bigotry, and to file a complaint if they feel that they are subject to this behavior;
3. receive courtesy and respect from others regardless of actual or perceived age, race, creed, color, gender, gender identity, gender expression, religion, national origin, citizenship/immigration status, weight, sexual orientation, physical and/or emotional condition, disability, marital status, and political beliefs;
4. receive a written copy of the school's policies and procedures, including the Code of Conduct, early in the school year or upon admission to the school during the school year;
5. be informed about required health, cognitive and language screening examinations;
6. receive professional instruction;
7. be informed of educational/therapeutic progress and receive periodic evaluations both informally and through formal progress reports;
8. access to review their education records upon request, (the right to review records is always accorded the parent/adult in parental relationship and students who are their own guardian);
9. confidentiality in the handling of student records maintained by the school;
10. receive guidance, counseling and advice for personal, social, educational, career and vocational development.

## II. THE RIGHT TO FREEDOM OF EXPRESSION AND PERSON

All students are guaranteed the right to express opinions, support causes, organize and assemble to discuss issues and demonstrate peacefully and responsibly in support of them, in accordance with policies and procedures established by the Hallen School.

### **Students have the right to:**

1. organize, promote, and participate in student organizations, social and educational clubs or teams and political, religious, and philosophical groups consistent with the requirements of the Equal Access Act;
2. wear political or other types of buttons, badges or armbands, except where such material is libelous, obscene or materially disrupts the school, causes substantial disorder or invades the rights of others;
3. determine their own dress within appropriate parameters and consistent with religious expression, except where such dress is dangerous or interferes with the learning and teaching process;
4. be secure in their persons, papers, and effects and to carry in the school building personal possessions which are appropriate for use on the premises;

5. be free from unreasonable or indiscriminate searches, including body searches;
6. be free from corporal punishment;
7. decline to participate in the Pledge of Allegiance or stand for the pledge.

### III. THE RIGHT TO DUE PROCESS

Every student has the right to be treated fairly in accordance with the rights set forth in this document.

Students have the right to:

1. be provided with the Code of Conduct;
2. know what is appropriate behavior and what behaviors may result in disciplinary actions;
3. be counseled by members of the professional staff in matters related to their behavior as it affects their education and welfare within the school;
4. know possible dispositions and outcomes for specific offenses;
5. receive written notice of the reasons for disciplinary action taken against them in a timely fashion (notice will be sent home to parent/guardian);
6. due process of law in instances of disciplinary action for alleged violations of school regulations for which they may be suspended or removed from class/activities;
7. appeal the actions and decisions of school officials with respect to their rights and responsibilities as set forth in this document;
8. be accompanied by a parent/adult in parental relationship and/or representative at conferences and hearings;
9. the presence of school staff in situations where there may be police involvement;
10. challenge and receive an explanation in writing of any material entered in their student records.

### IV. ADDITIONAL RIGHTS OF STUDENTS OVER THE AGE OF 18

1. The federal Family Educational Rights and Privacy Act (“FERPA”) gives students who have reached 18 years of age certain rights with respect to the student’s education records. Students age 18 and over have the right to request, inspect and review their own education records.
2. Students age 18 and over have the right to request that their own education records be changed when they believe they are inaccurate, misleading, or otherwise in violation of their privacy rights under FERPA.

3. All students, including those age 18 and over, have the right to privacy of their personally identifiable information in their own education records, except in certain cases when FERPA allows disclosure without consent, including the following:

A. One exception, which permits disclosure without consent, is disclosure to a school official who needs to review an education record in order to fulfill his or her professional responsibility. Examples of school officials include people employed by the Hallen School (such as administrators, supervisors, teachers, other instructors, or support staff members).

B. Another exception, which permits disclosure without consent, is disclosure, upon request, to officials of the student's school district or a school district in which a student is trying to enroll or plans to enroll, if the disclosure is for purposes of the student's enrollment or transfer.

4. Students age 18 and over have the right to file a complaint with the U.S. Department of Education if they feel that the Hallen School has failed to comply with the requirements of FERPA. The name and address of the Office that administers

FERPA are:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-852

## V. STUDENT RESPONSIBILITIES

Responsible behavior by each student is the only way in which the rights set forth in this document can be preserved. Violation of some of these responsibilities may lead, in accordance with the Code of Conduct, to disciplinary measures. Full acceptance of responsibility with the exercise of rights will provide students with greater opportunity to serve themselves and society.

Students have a responsibility to:

1. attend school regularly and punctually and make every effort to achieve in all areas of their education and related services;
2. be prepared for class with appropriate materials and properly maintain/use school equipment;
3. follow school regulations regarding entering and leaving the classroom and school building, including remaining with a staff member at all times;
4. help maintain a school environment free of weapons, illegal drugs, controlled substances and alcohol;
5. behave in a manner that contributes to a safe learning environment and which does not violate other students' right to learn;

6. share information with school officials regarding matters which may endanger the health and welfare of members of the school community;
7. respect the dignity and equality of others and refrain from conduct which denies or impinges on the rights of others;
8. show respect for school property and respect the property of others, both private and public;
9. be polite, courteous, and respectful toward others regardless of actual or perceived age, race, creed, color, gender, gender identity, gender expression, religion, national origin, citizenship/immigration status, weight, sexual orientation, physical and/or emotional condition, disability, marital status and political beliefs, and refrain from making slurs based on these criteria;
10. behave in a polite, truthful and cooperative manner toward students, teachers and other school staff;
11. promote good human relations and build bridges of understanding among the members of the school community;
12. use non-confrontational methods to resolve conflicts;
13. refrain from obscene and defamatory communication in speech, writing and other modes of expression in their interactions with the school community;
14. express themselves in a manner which promotes cooperation and does not interfere with the educational process;
15. participate in school functions/activities in a peaceful manner and respect the decision of students who do not wish to participate;
16. bring to school only those personal possessions which are safe and do not interfere with the learning environment;
17. be familiar with the Code of Conduct and abide by school rules and regulations;
18. model positive behaviors to encourage fellow students to follow established school policies and practices;
19. keep parents informed of school-related matters, including progress in school, social and educational events

### **LEVEL 1 Infractions – Insubordinate Behaviors**

01 Using prohibited equipment or material in school without authorization (e.g., cell phone, beeper, or other electronic communication/entertainment device)

02 Behaving in a manner which disrupts the educational process (e.g., making excessive noise in the school building)

03 Engaging in verbally rude or disrespectful behavior

04 \*Wearing clothing, headgear (e.g., caps, hoodies, hats), or other items that are unsafe or disruptive to the educational process or violates the student dress code.

05 Using school computers, fax machines, telephones or other electronic equipment or devices without appropriate permission

\* If there is a question regarding whether or not clothing or headgear is representative of religious expression, please contact Principal Sergio Dávila, at 914-636-6600 ext. 3075.

### **Range of Possible Guidance Interventions**

- Parent outreach
- Intervention by counseling staff
- Positive Reinforcement for Appropriate Behavior
- Address the issue in mandated or non-mandated/crisis intervention counseling
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)

### **Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Meeting with appropriate staff member(s)

- Parent conference
- In-school disciplinary action (e.g., exclusion from extracurricular activities or choice time)

### **LEVEL 2 Infractions – Disorderly Disruptive Behaviors**

06 Smoking and/or possession of matches or lighters

07 Gambling

08 Using profane, obscene, vulgar, lewd or abusive language or gestures

09 Purposefully lying to, giving false information to, and/or misleading school personnel

10 Misusing property belonging to others

11 Engaging in or causing disruptive behavior on the school bus

12 Engaging in inappropriate or unwanted physical contact or touching someone in a private part of their body

### **Range of Possible Counseling Interventions**

- Parent outreach
- Intervention by counseling staff
- Positive Reinforcement for Appropriate Behavior
- Address the issue in mandated or non-mandated/crisis intervention counseling
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)
- Referral to appropriate substance abuse counseling services

### **Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Meeting with appropriate staff member(s)

- Parent conference
- In-school disciplinary action (e.g., exclusion from extracurricular activities, free time, or communal lunchtime)
- Repeated violations may result in Principal's suspension for 1-5 days

### **LEVEL 3 Infractions – Seriously Disruptive Behavior**

13 Being insubordinate; purposely defying or disobeying school personnel

14 Using slurs based upon actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, religion, gender, gender identity, gender expression, sexual orientation, or disability

15 Shoving, pushing, or engaging in other similar physical behavior towards students or school personnel (e.g., horseplay or pushing past another person), or throwing an object (e.g., chalk) or spitting at another person

16 Knowingly possessing property belonging to another without authorization

17 Engaging in inappropriate or unwanted physical contact or touching someone in a private part of their body, in more than one occasion, eventhough instructed to stop

18 \*\*Engaging in gang-related behavior (e.g., wearing gang apparel and/or accessories, writing graffiti, making gestures or signs, making threats of group violence, etc...)

19 Engaging in vandalism, graffiti or other intentional damage to school property or property belonging to staff, students or others

20 Posting or distributing libelous material or literature (including posting such material on the Internet)

\*\*In determining the etiology of an event, school officials may use statements given by eye-witnesses, which include but are not limited to school personal, bus staff, and students.

### **Range of Possible Counseling Interventions**

- Parent outreach
- Intervention by counseling staff
- Positive Reinforcement for Appropriate Behavior
- Address the issue in mandated or non-mandated/crisis intervention counseling
- Conflict resolution

- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)
- Referral to counseling services for youth relationship abuse or sexual violence
- Referral to outside counseling services for bias-based bullying and intimidation

### **Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Student/Parent conference with school staff
- In-school disciplinary actions (e.g., exclusion from extracurricular activities, free time, or communal lunchtime)
- In-School Suspension for 1-3 days
- Principal's suspension for 1-5 days
- Principal's suspension that results in continued suspension for a fixed period of 6-10 school days

### **Supports for Students Transitioning From Suspension**

Students returning from suspension will be provided with supportive services to maximize their ability to meet social and academic standards within the school community. Support services may include any of the range of counseling interventions or a combination of services as best meets the needs of the individual student.

**LEVEL 4 Infractions – Dangerous or Violent Behaviors**

- 21 Posting or distributing, displaying, or sharing literature or material containing a threat of violence, injury or harm, or depicting violent actions against or obscene, vulgar or lewd pictures of students or staff (including posting such material on the Internet)
- 22 Engaging in an altercation and/or physically aggressive behavior, other than horseplay, or other minor altercations, which creates a substantial risk of or results in minor injury
- 23 Engaging in an act of coercion or threatening violence, injury or harm to another or others
- 24 \*Engaging in behavior on the school bus which creates a substantial risk of or results in injury
- 25 Engaging in intimidating and bullying behavior, including cyber-bullying\*\* — threatening, stalking or seeking to coerce or compel a student or staff member to do something; engaging in verbal or physical conduct that threatens another with harm; taunting and/or intimidation including through the use of epithets or slurs involving actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, religion, religious practices, gender, gender identity, gender expression, sexual orientation or disability
- 26 Making sexually suggestive comments, innuendoes, propositions or similar remarks, or engaging in nonverbal or physical conduct of a sexual nature (e.g. touching, patting, pinching, lewd or indecent public behavior, or sending or posting sexually suggestive messages or images)
- 27 Possessing controlled substances or prescription medications without appropriate authorization, illegal drugs, drug paraphernalia, and/or alcohol
- 28 Taking or attempting to take property belonging to another or belonging to the school without authorization, without threatening to use force or intimidating behavior.
- 29 Falsely activating a fire alarm or other disaster alarm
- 30 Making a bomb threat
- 31 Creating a substantial risk of serious injury by either recklessly engaging in behavior, and/or using an object that appears capable of causing physical injury (e.g., lighter, belt buckle, umbrella, or laser pointer)
- 32 Causing a serious injury by either recklessly engaging in behavior, and/or using an object that appears capable of causing physical injury (e.g., lighter, belt buckle, umbrella, or laser pointer)
- 33 Starting a fire

34 Inciting/causing a riot

35 Possessing or selling any weapon as defined in Category II (see page 26) for which a purpose other than infliction of physical harm exists, e.g., a nail file, an administrator must consider whether there are mitigating factors present.

36 Using controlled substances or prescription medication without appropriate authorization, or using illegal drugs and/or alcohol

37 Engaging in a pattern of persistent Level 3 Infraction behaviors in the same school year (Whenever possible and appropriate, prior to imposing a Level 4 disciplinary response, school officials should have exhausted the disciplinary responses in Level 3. Further, repeated Level 3 infractions are limited to Level 4 disciplinary responses).

\*In cooperation with the bus staff on the district provided school buses, school staff will work to determine the etiology of the event and provide suggestions for the bus staff.

\*\* Engaging in intimidating and bullying behavior through electronic communication, such as texting, e-mail, instant messaging, etc

### **Range of Possible Counseling Interventions**

- Parent outreach
- Intervention by counseling staff
- Positive reinforcement for appropriate behavior
- Address the issue in mandated or non-mandated/crisis intervention counseling
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)
- Referral to appropriate substance abuse counseling services
- Referral to counseling services for youth relationship abuse or sexual violence
- Referral to counseling services for bias-based bullying, intimidation, or harassment
- Contacting local law enforcement or 911 emergency services for some infractions listed above

### **Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Parent/Student conference with school staff
- In-school disciplinary actions (e.g., exclusion from extracurricular activities or communal lunchtime)
- In-School Suspension for 1-3 days
- Administrator's suspension for 1-5 days
- Principal's suspension that results in continued suspension for a fixed period of 6-10 school days

### **Supports for Students Transitioning From Suspension**

Students returning from suspension will be provided with supportive services to maximize their ability to meet social and academic standards within the school community. Support services may include any of the range of counseling interventions or a combination of services as best meets the needs of the individual student.

**LEVEL 5 Infractions – Seriously Dangerous or Violent Behavior**

- 38 Threatening to use or using force to take or attempt to take property belonging to another
- 39 Using force against, or inflicting or attempting to inflict serious injury against school personnel
- 40 Using extreme force against or inflicting or attempting to inflict serious injury upon students or others
- 41 Planning, instigating, or participating with another or others, in an incident of group violence
- 42 Engaging in threatening, dangerous or violent behavior that is gang-related
- 43 Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity
- 44 Selling or distributing illegal drugs or controlled substances and/or alcohol
- 45 Possessing or selling any weapon, other than a firearm, as defined in Category I (see page 25 )
- 46 Using any weapon as defined in Category II to threaten or to attempt to inflict injury upon school personnel, students, or others
- 47 Using any weapon, other than a firearm, as defined in Category I, to threaten or to attempt to inflict injury upon school personnel, students, or others
- 48 Using any weapon, other than a firearm, as defined in Category I or II, to inflict injury upon school personnel, students, or others
- 49 Possessing or using a firearm

**Possible Counseling Interventions**

- Parent outreach
- Intervention by counseling staff

- Individual/group counseling. If the student does not already receive mandated counseling services, a recommendation will be made to the district/parents that services be added to the student's IEP
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)
- Referral to appropriate substance abuse counseling services
- Referral to counseling services for youth relationship abuse or sexual violence
- Referral to counseling services for bias-based bullying, intimidation, or harassment
- Contacting local law enforcement or 911 emergency services for some infractions listed above

### **Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Parent/Student conference with school staff
- In-School Suspension for 1-3 school days
- Suspension for 1-5 school days
- Suspension that results in continued suspension for a fixed period of 6-10 school days
- After Manifestation Determination Review (when appropriate), suspension that results in extended suspension for longer than 10 school days
- After Manifestation Determination Review (when appropriate), asking the CSE to reconvene to place the student in an Interim Alternative Educational Setting for 45 school days
- Asking the district to reconvene the CSE to request a change in educational placement.

### **Supports for Students Transitioning From Suspension**

Students returning from suspension will be provided with supportive services to maximize their ability to meet social and academic standards within the school community. Support services may include any of the range of counseling interventions or a combination of services as best meets the

needs of the individual student. Parents have the opportunity to participate in planning services at the re-admittance meeting following a suspension period.

### **Prohibited Weapons – Category I**

- Firearm, including pistol and handgun, silencers, electronic dart, and stun gun
- Shotgun, rifle, machine gun, or any other weapon which simulates or is adaptable for use as a machine gun
- Air gun, spring gun, or other instrument or weapon in which the propelling force is a spring or air, and any weapon in which any loaded or blank cartridge may be used (such as a BB gun or paintball gun)
- Switchblade knife, gravity knife, pilum ballistic knife and cane sword (a cane that conceals a knife or sword)
- Dagger, stiletto, dirk, razor, box cutter, case cutter, utility knife and all other knives
- Billy club, blackjack, bludgeon, chucka stick, and metal knuckles
- Sandbag and sandclub
- Sling shot (small, heavy weights attached to or propelled by a thong) and slung shot
- Martial arts objects including kung fu stars, nunchucks and shirkens
- Explosives, including bombs, fire crackers and bombshells

### **Prohibited Weapons – Category II**

- Acid or dangerous chemicals (such as pepper spray, mace)
- \*Imitation gun or other imitation weapon
- Loaded or blank cartridges and other ammunition
- Stun weapons
- Any deadly, dangerous, or sharp pointed instrument which can be used or is intended for use as a weapon (such as scissors, nail file, broken glass, chains, wire).

\*Before requesting a suspension for possession of an article listed in Category II for which a purpose other than infliction of physical harm exists, e.g., a nail file, an administrator must consider whether there are mitigating factors present. In addition, an administrator must consider whether an imitation gun is realistic looking by considering factors such as its color, size, shape, appearance and weight.